

UNIVERSITY OF THE
SOUTHERN CALIFORNIA

CITY OF HAVERHILL

MASSACHUSETTS

CITY CHARTER

1914



The Welch Press
Haverhill, Massachusetts

1914

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CITY CHARTER

Chapter 574, Acts of 1908

An act to amend the charter of the City of Haverhill

Be it enacted, etc., as follows:

Section 1. The annual city election of the city of Haverhill shall be held on the Tuesday next following the first Monday of December. Every special city election shall be held on a Tuesday.

Section 2. The municipal year shall begin at ten o'clock in the forenoon on the first Monday of January, and shall continue until ten o'clock in the forenoon on the first Monday of the January next following.

Section 3. In the year nineteen hundred and eight and in every second year thereafter there shall be elected at the annual city election of said city, the mayor, two aldermen and two members of the school committee for the term of the two municipal years next following their respective elections. There shall also

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be elected at said annual city election in the year nineteen hundred and eight, two aldermen and two members of the school committee for the municipal year next following such election. In the year nineteen hundred and nine and in every second year thereafter there shall be elected at the annual city election two aldermen and two members of the school committee, each for the two municipal years next following his election. The number of aldermen of said city shall be four. Except as aforesaid and as otherwise provided in this act, no city officers shall be elected at any city election. The above mentioned officers shall be elected by and from the qualified voters of the city and may be residents of any part thereof.

Section 4. Except as otherwise provided in section forty-one there shall not be printed on the official ballots to be used at any annual or special city election of said city the name of any person as a candidate for mayor, alderman or member of the school committee unless such person be nominated as such candidate at a preliminary election for nominations to be held as provided in this act. There shall not be printed on the official ballots to be used at a preliminary election for nominations the name of any person as a candidate for nomination at such preliminary election for nominations unless such person shall have filed, within the time limited by section seven of this act, the statement of candidate and the petition accompanying the statement described in section seven.

Section 5. On the third Tuesday preceding every annual or special city election at which any officer mentioned in section three is to be elected there shall be held a preliminary election for nominations for the purpose of nominating candidates for such offices as, under the provisions of this act, are to be filled at such annual or special city election. No special election for the election of mayor or an alderman shall be held until after the expiration of forty days from the calling of the preliminary election

for nominations, which under the provisions of this act is to held on the third Tuesday preceeding such special election. At every preliminary election for nominations the polls shall be opened at six o'clock in the forenoon and kept open until four o'clock in the afternoon and, except as otherwise provided in this act, every such preliminary election for nominations shall be called by the same officers and held in the same manner as an annual city election, the polling places shall be designated, provided and furnished, official ballots, special ballots, ballot boxes, voting lists, specimen ballots, blank forms, apparatus and supplies shall be provided for every such preliminary election for nominations in the same number, kind and manner and by the same officials as at an annual city election, and the same election officers shall officiate as at an annual city election.

Section 6. The provisions of law relating to election officers, voting places for elections, election apparatus and blanks, calling and conduct of elections, manner of voting at elections, counting and re-counting of votes at elections, corrupt practices, and penalties, shall apply to such preliminary elections for nominations, except as otherwise provided in this act.

Section 7. Any person who is qualified to vote for a candidate for mayor, alderman or member of the school committee, and who is a candidate for nomination for such office may have his name, as such candidate, printed on the official ballots to be used at a preliminary election for nominations provided that he shall, at least *fourteen days prior to such preliminary election for nominations, file with the city clerk a statement in writing of his candidacy in substantially the following form—

STATEMENT OF CANDIDATE

I (.....), on oath declare that I reside at (number, if any,) on (name of street,) in the city of Haverhill; that I am a

[*See Chap. 559, Acts of 1913]

voter therein qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for nomination for the office of (mayor, alderman or member of the school committee) for (state the term) to be voted for at the preliminary election for nominations to be held on Tuesday, the day of , 19 , and I request that my name be printed as such candidate on the official ballots to be used at said preliminary election for nominations.

(Signed).

Commonwealth of Massachusetts.

Essex, ss.

Subscribed and sworn to on this day of , 19 , before me, (Signed). Justice of Peace, (or Notary Public), and at the same time shall file therewith a petition of at least twenty-five voters of the city qualified to vote for a candidate for such office. Such petition shall be in substantially the following form:—

PETITION ACCOMPANYING STATEMENT OF CANDIDATE

Whereas (name of candidate) is a candidate for nomination for the office of (mayor, alderman or member of the school committee) for (state the term), we, the undersigned voters of the city of Haverhill, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate), as a candidate for nomination for said office, be printed on the official ballots to be used at the preliminary election for nominations to be held on the Tuesday of , 19 . We⁺ further state that we believe he is of good moral character and qualified to perform the duties of the office.

Names of voters. Street Number, if any. Street.

No acceptance by a candidate for nomination named in such petition shall be necessary for its validity or for its filing, and the petition need not be sworn to.

Section 8. Women who are qualified to vote for member of the school committee may be candidates for nomination for that office at any preliminary election for nominations at which candidates for nomination for that office are to be voted for, and, at such preliminary election for nominations, may vote for, and only for, candidates for nomination for that office. They shall file the hereinbefore described statement of candidate and the petition accompanying the statement of the candidate in all cases where the same are herein required to be filed by male candidates for nominations for that office.

Section 9. On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above described statements and petitions, the city clerk shall cause to be published in one or more newspapers published in the city, the names and residences of the candidates for nomination who have duly filed the above mentioned statements and petitions, and the offices and terms for which they are candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election for nominations. The city clerk shall thereupon prepare the ballots to be used at such preliminary election for nominations and shall cause them to be printed, and the ballots so prepared shall be the official ballots and the only ballots used at such preliminary election for nominations. They shall be headed as follows:—

OFFICIAL PRELIMINARY BALLOT

Candidates for Nomination for Mayor, Alderman and School Committee of the City of Haverhill. At a Preliminary Election for Nominations Held on the Day of in the Year Nineteen Hundred and

(The heading shall be varied in accordance with the offices for which nominations are to be made.)

Section 10. The name of each person who has filed a statement and accompanying petition as aforesaid, and his residence and the title and term of the office for which he is a candidate for nomination shall be printed on said ballots, and the names of no other candidates shall be printed thereon. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices, equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on said ballots such directions as will aid the voter; for example, "vote for one," "vote for two," and the like. Special ballots, headed:—

OFFICIAL PRELIMINARY BALLOT

Candidates for Nomination for Members of School Committee of the City of Haverhill. At a Preliminary Election for Nominations Held on the Day in the Year Nineteen Hundred and .

And containing the names and residences of the same candidates for nomination for member of the school committee as are on the regular official ballots, furnished for such preliminary election for nominations, and the title and term of that office shall be prepared in like manner and printed for the use of women qualified to vote for members of the school committee.

Section 11. No ballot used at any annual or special city election or at any preliminary election for nominations shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark or anything showing how he was nominated, or indicating his views or opinions.

Section 12. Voters qualified to vote at a city election shall be qualified to vote at the said preliminary election for nominations.

Section 13. The election officers shall immediately, upon the closing of the polls at preliminary elections for nominations, count the ballots and ascertain the number of votes cast in the voting places where they officiate, for each person for nomination for each office, and shall make return thereof to the city clerk forthwith upon blanks to be furnished as in city elections.

Section 14. On the first day, not being Sunday or a legal holiday following such preliminary election for nominations, the city clerk shall canvass said returns, so received from the election officers, and shall forthwith determine the result of such canvass and publish the same in one or more newspapers published in said city.

Section 15. The two persons receiving at a preliminary election for nominations the highest number of votes for nomination for an office shall be the candidates and the only candidates for that office whose names shall be printed on the official ballots to be used at the annual or special city election for the making of nominations for which such preliminary election for nominations was held, and if two or more persons are to be elected to the same office at such annual or special city election, the several persons, to a number equal to twice the number so to be elected to such office, receiving, at such preliminary election for nominations the highest number of votes for nomination for that office, or all such persons if less than twice the number of those so to be elected, shall be the candidates, and the only candidates, for that office whose names shall be printed on the official ballots to be used at such annual or special city elections.

Section 16. No acceptance of a nomination made at a preliminary election for nominations shall be necessary for the validity of such nomination.

Section 17. At city elections, other than above described pre-

liminary elections for nominations, the person receiving the highest number of votes for an office shall be deemed and declared elected to such office; and if two or more persons are to be elected to the same office, the several persons, to the number to be chosen to such office, receiving the highest number of votes shall be deemed and declared to be elected; but persons receiving the same number of votes shall not be deemed to be elected if thereby a greater number would be elected than are by law to be chosen. On ballots to be used at annual or special city elections blank spaces shall be left at the end of each list of candidates for the different offices, equal to the number to be elected thereto, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for such office.

Section 18. Except as otherwise provided in this act, the laws of the commonwealth governing annual city elections, special elections of city officers and special elections in cities shall, so far as they may be applicable, govern such elections in said city.

Section 19. At ten o'clock in the forenoon on the first Monday of January in the year nineteen hundred and nine, the city council, board of mayor and aldermen, board of aldermen and common council of said city shall be abolished; the terms of office which the present mayor, aldermen, common councilmen, members of the school committee and assistant assessors are now serving shall terminate, and except as otherwise provided in this act, all the present powers and duties of all or any, the mayor, mayor and aldermen, aldermen, board of aldermen, city council, common council, and common councilmen of said city, under any general or special acts, shall devolve upon and shall thereafter be exercised and performed by a board, styled the municipal council, which shall consist of the mayor and four aldermen, elected under the provisions of this act. The municipal council shall be the judge of the election of its own members.

Section 20. The mayor and the aldermen elected as aforesaid shall meet at ten o'clock in the forenoon on the first Monday of January of each year, and those of them whose term of office then begins shall severally take oath before the city clerk or a justice of the peace to perform faithfully the duties of their respective offices. The municipal council shall thereupon be organized by the choice of a president who shall be called the president of the municipal council and shall hold his office during its pleasure. The president of the municipal council shall be some member thereof other than the mayor. The organization of the municipal council shall take place as aforesaid notwithstanding the absence, death, refusal to serve, or non-election of the mayor or of one or more of the four aldermen, provided that at least three of the persons entitled to be members of the municipal council are present and take the oath as aforesaid. Any person entitled to take the aforesaid oath who was not present at the time above fixed therefor may take the same at any time thereafter.

Section 21. A majority of the members of the municipal council shall constitute a quorum. Its meetings shall be public and the mayor if present shall preside and shall have the right to vote. In the absence of the mayor, the president of the municipal council shall preside, and in the absence of both, a chairman pro tempore shall be chosen. The city clerk shall be, ex-officio, clerk of the municipal council and shall keep the records of its proceedings. All votes of the members of the municipal council shall be by yeas and nays, when that is practicable, and shall be entered upon the records. The affirmative votes of at least three members shall be necessary for the passage of any order, ordinance, resolution or vote.

Section 22. The municipal council shall not make or pass any order, resolution or vote appropriating money in excess of two thousand dollars, or making or authorizing the making of any contract involving a liability on the part of the city in excess of

two thousand dollars, unless the same is proposed in writing and remains on file in the office of the city clerk at least one week before its passage, except an order, resolution or vote for the immediate preservation of the public peace, health or safety which contains a statement of its urgency and is made or passed by a four-fifths vote.

Section 23. The municipal council shall annually, in the month of January, at a time after ten o'clock in the forenoon of the first Monday of that month, elect seven assistant assessors from the qualified voters of the city. They shall be sworn to the faithful performance of their duties, shall have all the powers and perform all duties which the assistant assessors of said city now have and perform, and shall hold their respective offices for the remainder of the municipal year in which they are elected. The municipal council shall fix the compensation of the assistant assessors, and may remove them at any time for sufficient cause.

Section 24. The municipal council shall each month print in pamphlet form a detailed itemized statement of all receipts and expenses of the city during the preceding month, and shall furnish copies thereof to the public library, to the daily newspapers published in said city, and to persons who shall apply therefor at the office of the city clerk. At the end of each municipal year it shall cause a full and complete examination of all books and accounts of the city to be made by competent accountants, and shall publish the result of such examination in the manner above provided for publication of statements of monthly receipts and expenses.

Section 25. The municipal council shall fix suitable times for its regular meetings. The mayor, the president of the municipal council, or any two members thereof, may at any time call a special meeting by causing a written notice, stating the time of holding such meeting and signed by the person or persons calling

the same, to be delivered in hand to each member, or left at his usual dwelling place at least six hours before the time of such meeting. Meetings of the municipal council may also be held at any time when all the members are present and consent thereto.

Section 26. The municipal council shall have power to do, except as otherwise provided in this act, without the approval of the mayor, all things which all or any of the city council, board of aldermen and common council can now do with such approval. Any notes, bonds or scrip which said city is authorized to issue shall be signed by its treasurer and countersigned by a majority of its municipal council.

Section 27. The mayor shall have no power of veto, and no order, ordinance, resolution or vote which the municipal council shall make or pass shall be presented to him for or shall require his approval in order to be effective.

Section 28. When the municipal council shall make or pass an ordinance, or an amendment or repeal of an ordinance, such ordinance, amendment or repeal, so passed, shall, except as otherwise provided in this act, take effect at the expiration of ten days from its passage; provided, however, that, if there is a time therein specified when it shall take effect and such time is more than ten days after its passage, such ordinance, amendment or repeal shall, except as otherwise provided in this act, take effect at the time so specified therein.

Section 29. When the voters make or pass an ordinance as provided in this act, such ordinance shall take effect and be in force at the time therein specified without presentation to or approval by the mayor.

Section 30. No ordinance made or passed by the municipal council or by the voters, as provided in this act, shall require the

approval of any court or of the attorney-general, or shall be required to be published in order to become effective.

Section 31. Such powers of nomination, appointment, confirmation and election for and to office or position, of approval and consent to nominations and appointments, of removal or suspension from office and consent to removal or suspension from office as are now vested in all or any, the mayor and aldermen, city council, board of aldermen and common council shall be exercised by the municipal council by vote, and the mayor shall no longer have power to make nominations or appointments for or to office, or removals or suspensions therefrom, but shall have the same right to vote thereon as any other member of the municipal council.

Section 32. The salary of the mayor shall be twenty-five hundred dollars per annum, and the salary of each alderman eighteen hundred dollars per annum. Such salaries shall be payable in equal monthly installments.

Section 33. No member of the municipal council shall, during the term for which he was chosen, be eligible, either by appointment or by election of the municipal council, to any other office the salary of which is payable by the city, or shall, during such term, hold any such other office.

Section 34. The school committee of said city shall consist of the mayor ex-officio, and the four members of the school committee elected in accordance with the provisions of this act. It shall vote by yea and nay, when that is practicable, and its votes shall be entered on its records. Three of its members shall constitute a quorum. The mayor, when present, shall preside.

Section 35. No site for a school building shall be acquired by

said city unless the approval of such site by the school committee is first obtained.

No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building, unless the approval of the school committee therefor is first obtained. Nothing herein contained shall require such approval for the making of ordinary repairs.

Section 36. Upon the death, resignation or absence of the mayor, or upon his inability to perform the duties of his office, the president of the municipal council shall perform them, and if he also is absent, or unable from any cause to perform said duties, they shall be performed by such member of the municipal council as it may from time to time elect, until the mayor or president of the municipal council is able to attend to said duties, or until the vacancy is filled as hereinafter provided. The person upon whom such duties devolve shall be called "Acting Mayor" and, except as otherwise provided in this act, shall possess the powers of mayor but only in matters not admitting of delay.

Section 37. If there is a vacancy, by failure to elect or otherwise, in the municipal council, whether as to the mayor or one or more aldermen, the council shall, by its remaining members, call a special city election to fill the vacancy or vacancies for the unexpired term or terms respectively, except that if such vacancy or vacancies occur less than four months prior to the annual city election, the municipal council shall, by its remaining members, fill such vacancy or vacancies for the unexpired term or terms respectively. A person elected to fill any such vacancy shall, before entering upon the duties of his office, take oath before the city clerk or a justice of the peace faithfully to perform the same.

Section 38. If there is a vacancy in the school committee, by failure to elect or otherwise, the municipal council and the re-

maining members of the school committee shall meet in joint covention and elect a suitable person to fill such vacancy for the unexpired term. The mayor, if present, shall preside at such convention.

Section 39. The mayor shall be, ex-officio, chairman and a member of the board of overseers of the poor.

Section 40. The powers and duties of the mayor under chapter three hundred and fifty six of the acts of the year eighteen hundred and eighty-eight, and chapter four hundred and ninety-eight of the acts of the year nineteen hundred and seven, shall be exercised and performed by him.

Section 41. The holder of any elective office may be removed at any time by the voters qualified to vote at city elections, and the procedure to effect his removal shall be as follows:—A petition signed by a number of such voters equal to at least twenty-five per cent of the aggregate number of votes cast for candidates for mayor at the last preceding annual city election at which a mayor was elected, and demanding an election of a successor of the person sought to be removed, shall be filed in the office of the city clerk. Such petition shall contain a general statement of the grounds for which the removal is sought. It need not be on one paper, but may consist of several distinct papers each containing such demand, and substantially upon the same grounds; and all papers containing such demand and statement, which in any one day shall be filed in the office of the city clerk, shall be deemed parts of the same petition. Each signer shall add to his signature his place of residence, giving the street and street number, if any. One signer of every such paper shall make oath upon his information and belief before a notary public or a justice of the peace that the statements therein made are true, and that each signature to such paper is the genuine signature of the person whose name it purports to be.

Within ten days after the date of filing such petition the city clerk, with the assistance of the registrars of voters, shall examine the petition to ascertain whether or not it is signed by the requisite number of qualified voters as above described, and shall attach to said petition his certificate showing the result of his examination. If, from the city clerk's certificate, the petition appears not to be signed by the requisite number of voters, it may be supplemented within ten days after the date of such certificate by other papers signed and sworn to as aforesaid, and all other papers containing a like demand and statement, and signed and sworn to as aforesaid, which shall be filed with the city clerk within the said ten days, shall be deemed supplemental to the original petition.

The city clerk, shall within ten days after such supplementation, make a like examination of the amended petition, and attach thereto a new certificate, and, if it appears from such new certificate that the petition is still insufficient as to the number of signers as aforesaid, it shall be returned to the person or persons filing the same, without prejudice, however, to the filing of a new petition to the same effect.

If the petition, as originally filed or as supplemented, shall be certified by the city clerk to be sufficient, he shall present the same to the municipal council without delay, and the municipal council shall call the election so demanded, and shall fix a date for holding the same, which shall be not less than sixty nor more than seventy days after the date of the presentation of the petition by the city clerk to the municipal council. The municipal council shall make or cause to be made all arrangements for holding such election, and the same shall be held and conducted, returns thereof made and the result thereof declared in all respects as in the case of other city elections. The successor of any officer so removed shall hold the office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate

at such election, and unless he requests otherwise in writing, the city clerk shall place his name on the official ballots without nomination. The candidate receiving the highest number of votes shall be declared elected. If some person other than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed to be removed from the office. In case a person, other than the incumbent, receiving the highest number of votes shall fail to make oath before the city clerk or a justice of the peace, within thirty days after his election, faithfully to perform the duties of the office, the office shall be deemed vacant. If the incumbent receives the highest number of votes, he shall continue in office until the end of the term which he was serving at the time of such election unless sooner removed therefrom by new and like proceedings. The name of no candidate other than that of the person sought to be removed, shall be printed on the official ballots to be used at such election, unless such candidate be nominated as hereinbefore provided, at a preliminary election for nominations.

Section 42. If a petition, signed by a number of the voters of said city, qualified to vote at city elections, equal to at least twenty-five per cent of the aggregate number of votes cast for candidates for mayor at the last preceding annual city election at which a mayor was elected, and requesting the municipal council to pass an ordinance therein set forth or referred to, shall be filed in the office of the city clerk, the municipal council shall, provided that said ordinance be one which the municipal council shall, after this act takes affect, have a legal right to pass, (a) pass said ordinance without alteration, within twenty days after the attachment of the city clerk's certificate of sufficiency to such petition, or (b) forthwith, after the expiration of twenty days after the attachment of the said certificate of sufficiency to the petition, call a special election, unless an annual city election is fixed within ninety days after the attachment of certificate of sufficiency, and at such special election, or annual city election,

if one is so fixed, submit such ordinance without alteration to the voters of the city qualified as aforesaid.

If, however, a petition otherwise like the above described petition but signed by a number of such qualified voters equal to at least ten per cent but less than twenty-five per cent of the aggregate number of votes cast as aforesaid for candidates for mayor, shall be filed as aforesaid, the municipal council shall (c) pass the ordinance therein set forth or referred to, without alteration within twenty days after such attachment or certificate of sufficiency, or (d) submit the same to the qualified voters of the city at the next annual city election.

The votes upon such ordinance at an annual city election or a special election shall be taken by ballot in answer to the question, "Shall the ordinance (stating the nature of the same) be passed?" which shall be printed on the ballots after the list of candidates, if there be any. If a majority of the qualified voters voting on the proposed ordinance shall vote in favor thereof, it shall thereupon become a valid and binding ordinance of the city; and no such ordinance passed as aforesaid by the municipal council, upon petition as aforesaid, or which shall be adopted as aforesaid at any such annual city election or special election, shall be repealed or amended except by the qualified voters of the city at an annual city election or special election.

Any number of ordinances requested by petition as aforesaid, may be voted upon at the same election, in accordance with the provisions of this section, but there shall not be more than one special election in any period of six months for that purpose.

The municipal council may submit a proposition for the repeal of any such ordinance, or for amendments thereof, to be voted upon at any succeeding annual city election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, the ordinance shall thereby be repealed

or amended accordingly. The votes upon such repeal or amendment at an annual city election shall be taken by ballot in answer to the question, "Shall the ordinance (stating the nature of the same) be repealed or amended (stating the nature of the amendment)?" which shall be printed on the ballots after the list of candidates, if there be any. Whenever any such ordinance or proposition is required by this act to be submitted at any election as aforesaid, the city clerk shall cause the same to be published once in each of the daily newspapers published in said city; such publication to be not more than twenty nor less than five days before the submission of the ordinance or proposition to be voted on.

Petitions under the provisions of this section may consist of one or more distinct papers. In each of such papers the ordinance, the passage of which is requested, shall be set forth or referred to, and all such papers filed in any one day in the office of the city clerk shall be deemed to be parts of the same petition. Such petitions shall be signed, sworn to as to signatures, examined, re-examined, presented to the municipal council, shall have the city clerk's certificate of sufficiency or insufficiency attached thereto, and may be supplemented in the same manner as petitions filed under section forty-one.

Any ordinance, passed under the provisions of this section by the municipal council upon petition, or by the voters, may prescribe such penalty for its violation as the municipal council, after this act takes effect, shall have a right to affix to a like ordinance for breach thereof.

Section 43. If, during the ten days next following the passage of an ordinance by the municipal council, a petition, signed by a number of the voters of said city, qualified to vote at city elections, equal to at least twenty-five per cent of the aggregate number of votes cast for candidates for mayor at the last preceding

annual city election at which a mayor was elected, and protesting against the passage of such ordinance shall be filed in the office of the city clerk, such ordinance shall be suspended from going into operation, and it shall be the duty of the municipal council to reconsider the same, and if it is not entirely repealed, the municipal council shall submit it, as is provided in sub-division (b) of section forty-two, to the qualified voters of the city and the said ordinance shall not go into effect or become operative unless a majority of the voters, qualified as aforesaid, voting on the same shall vote in favor thereof. The votes upon such ordinance at an annual city election or a special election shall be taken by ballot in answer to the question, "Shall the ordinance (stating the nature of the same) take effect?", which shall be printed on the ballots after the list of candidates, if there be any.

Petitions under the provisions of this section may consist of one or more distinct papers. In each of such papers the ordinance, the passage of which is protested, shall be set forth or referred to, and all such papers filed in any one day shall be deemed to be parts of the same petition. Such petitions shall be signed, sworn to as to signatures, examined, re-examined, presented to the municipal council, shall have the city clerk's certificate of sufficiency or insufficiency attached thereto, and may be supplemented in the same manner as petitions filed under section forty-one.

Section 44. It shall not be necessary for the validity of any petition or statement provided for or required by the provisions of this act that any signer thereof add to his signature any residence other than the name of the street, and street number, if there be any, at which he resides at the time of signing.

Section 45. All acts and parts of acts inconsistent with this act are hereby repealed: provided, however, that such repeal

shall not affect any act done, or any right accruing or accrued or established, or any suit or proceeding had or begun in any civil case before the time when such repeal takes effect, and that no offences committed and no penalty or forfeitures incurred under the acts or parts of acts hereby repealed shall be affected by such repeal; and provided, also, that all persons who at the time said repeal takes effect shall hold any office under said acts shall continue to hold the same according to the tenure thereof, except as is otherwise provided herein, and provided also, that all by-laws and ordinances of the city of Haverhill in force at the time when said repeal takes effect, and not inconsistent with the provisions of this act, shall continue in force until the same are repealed or amended, and all officers elected under such by-laws and ordinances shall continue in office according to the tenure thereof, except as is otherwise provided herein.

Section 46. Petitions, addressed to the board of aldermen and signed by qualified voters of the city, requesting that a special election be held at which this act shall be submitted to the qualified voters of said city, may be filed in the office of the city clerk at any time on or before the fifteenth day of August in the year nineteen hundred and eight. Each signer of any such petition shall add to his signature the name of the street in which he resides, at the time of signing, and the street number, if there be any. Such petition need not be sworn to. Within the five days next after said fifteenth day of August, the city clerk, with the assistance of the registrars of voters, shall examine the petitions so filed, and ascertain the aggregate number of qualified voters of the city who have signed the same, and he shall forthwith present the same to the board of aldermen with his certificate setting forth the aggregate number of qualified voters of the city who have so signed. If it shall appear from said certificate that such aggregate number is at least fifteen hundred, the board of aldermen shall forthwith call a special election to be held on the first Tuesday of October in the year nineteen hundred and eight, at

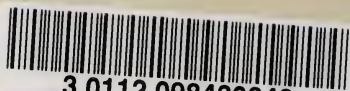
which special election this act shall be submitted to the qualified voters of the city.

This act shall take effect, as hereinafter provided, upon its acceptance by a majority of the voters present and voting thereon at said special election. The vote shall be taken by ballot in answer to the question, "Shall an act passed by the general court in the year nineteen hundred and eight, entitled 'An Act to Amend the Charter of the City of Haverhill' be accepted?", which shall be printed on the official ballots.

Except in so far as the same may be inconsistent with the provisions of this section, all general laws governing, and applicable to, a special election of a city officer, shall govern and apply to the special election at which this act shall be submitted as aforesaid.

If this act shall so be accepted, it shall take effect upon its acceptance for the annual city election to be held on the Tuesday next following the first Monday of December in the year nineteen hundred and eight, for the preliminary election for nominations, to be held, under the provisions of this act, on the third Tuesday preceding the aforesaid annual city election, for the statements of candidates and petitions accompanying statements of candidates to be filed by persons whose names are to be printed on the official ballots to be used at such preliminary election for nominations, and for all things which appertain and relate to said annual city election, preliminary election for nominations, statements of candidates and petitions accompanying statements of candidates; and, except as provided in the following section, it shall take effect for all other purposes at ten o'clock in the forenoon on the first Monday of January in the year nineteen hundred and nine.

Section 47. So much of this act as authorizes the submission of the question of its acceptance to the qualified voters of said city shall take effect upon its passage. (Approved June 3, 1908.)



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